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Academic Freedom Revisited

by Howard A. Doughty

In the interest of full disclosure, I have been worrying about the concept of academic freedom for almost fifty years. Moreover, apart from having a theoretical interest in questions of free speech and democracy, I have spoken about and in favour of academic freedom at numerous professional conferences, published some articles (including "Academic Freedom: An Essentially Contested Concept," *The College Quarterly* 2[3], 1995) and been engaged in some vigorous debates about it—at least one involving a call to the local constabulary and the subsequent arrest of more than one hundred and fifty likeminded people protesting (successfully as it turned out) a specific violation of academic freedom in the United States in 1968 (see "On How Knowingly to Condone an Illegal Act" *The College Quarterly* 7[3], 2004).

One of my enduring concerns, I might add, is with semantics. It has seemed to me that one of the biggest difficulties with discussions of academic freedom (as with many conversations about "value-laden" terms such as "democracy," "equity" and "justice") is that people begin from different positions and with different definitions in mind. We do not just confuse apples and oranges. We cannot seem to agree on the meaning of fruit!

When terms are defined differently by various parties to a discussion, it is hard to resolve disputes. Moreover, when circumstances change, already precarious definitions may have to be modified to adapt to new environments. Depending on what we mean by our words and how our words to be used in new situations, substantially different policy implications may follow.

As the title of this article implies, I believe that we are now facing new circumstances. So, what became a stale debate in the 1980s and 1990s may be ready to be refreshed by what my old mentor Gregory Bateson once called a changing "ecology of ideas." It may be time to revisit the subject, this time with the possibility of coming to a new agreement.

The changing circumstances I have in mind relate to the socially constructed rationale for institutions of higher education (what do we want them to do?), alterations in patterns of finance (how do we want to pay for them?) and a new view of how colleges and universities are expected to demonstrate accountability in the emerging postindustrial society (how will we judge the results?).

In the recent past, each of these questions has been infused with what is best described as the "market mentality," the belief that institutions do best when they are subjected to a pat on the back or a slap in the face from the "invisible hand" of consumer choice. It is my feeling that this market mentality may be in for a spanking of its own.

The focus of the changes discussed here are postsecondary schools, and the locus of debate concerns both colleges and universities. The changes are complicated and made even more controversial by the emergence of serious debates within and among "two-year" colleges, "four-year" universities as well as the host of hybrids now struggling for recognition and success.

Domination and Division

The subject of academic freedom has been controversial from the beginning of organized education, but it has been particularly testy since the growth of postsecondary schooling that accompanied both the industrial revolution of the nineteenth century and the electronic communications revolution of the late twentieth and early twenty-first. Both these developments were encouraged by the post-Enlightenment preference for political democracy over tyranny, individual liberty over authority and public education over ignorance. In fact, for some time these values seemed to go hand-in-hand.

The evolution of universities from elite establishments of classical learning to modern institutions that shifted emphasis from the humanities to the social and natural sciences and, more recently to vocational and technological training is well known. So is the history of the junior colleges, community colleges, polytechnical and vocational training institutes which tended to provide applied or career training to aspirant workers whose jobs were expected to require more brains than brawn in an industrial and then in a postindustrial information-based economy. Starting with eighteenth-century men of vision such as Benjamin Franklin, advancing through the public school revolutions of the nineteenth century and culminating in the explosion of technical schools in the past half-century, the merits of practical knowledge and the organized dissemination thereof has altered irrevocably what society expects and demands of formal teaching and learning.

Within the schools, the alteration in the ideals or socially accepted purposes of higher education was accompanied by patterns of change in the relationship between employers (appointed boards in theory, but more often senior administrative staff in day-to-day practice) and employees (faculty, librarians and counselors, and various levels of support staff). One enduring but intermittently discussed issue is how these changing relationships affect academic freedom.

In the process of moving from the antique groves of academe to contemporary digital diploma mills, attention has been given to academic freedom in a discontinuous, inconsistent and essentially contested manner. Classically stated, academic freedom includes the right of teachers and students to pursue the truth without interference from illicit ideological influence by church and state. In practice, even this minimal definition is more complicated than it seems. Fundamentally at issue, of course, is the problem of power and domination. At stake are questions such as the capacity of internal or external administrative authorities to dictate the content of the curriculum, criteria for selecting and retaining teachers and the nature of the teaching and learning process itself. In the past, theological orthodoxy supplemented by anticipated qualities of moral rectitude

and political loyalty were deemed as or more important than scholarly competence. Today, a certain flexibility has been introduced. Nonetheless, although small centres of Marxist, Feminist or Post-Colonial studies may exist in some universities, and although niche courses in social change and conflict may occasionally insinuate themselves into college liberal arts programs, a more comprehensive corporate culture seems securely in place. The result is an increasing commitment to conformity, while maintaining just enough evidence of ideological variety to permit all involved to claim allegiance to the liberal ideals of diversity and an open marketplace of ideas in the hallowed tradition of John Stuart Mill, John Dewey and other open-minded thinkers of a century ago. The sincerity of that allegiance remains uncertain.

In terms of organizational theory and practice, college administrators and teachers have generated two competing visions of employer-employee relations that have been apparent from the outset. Each has direct implications for the legitimacy and effectiveness of academic freedom. Generally speaking, those entrusted with the management of colleges have had in mind a rigid, hierarchical and industrial model of labour relations in which traditional concepts of academic freedom have had little or no place. Contrarily, whenever faculty have felt daring enough to display the confidence to raise the issue, they have formulated a potent alternative that would require the transfer of power over curriculum, teaching and ultimately hiring and firing from management to the faculty themselves if it were to be implemented. Opposed to the hierarchical management model, the collegial alternative would imply substantial faculty control over working conditions and the achievement of a high standard of "professionalism" that is plainly at odds with normal working relations in contemporary college life. Given this disparity in fundamental approaches to education and the governance of educational institutions, there has been almost no possibility of coming to a consensus about what academic freedom means, much less to resolve disagreements about how it might be applied.

Meanwhile, while management opinion ranged from rigidity to flexibility on matters such as "consultation" with teachers on policy matters, there was never any doubt about where responsibility lay nor was there any question that faculty involvement in decision making was anything other than a privilege and never a right. Though sometimes on different pages, management sang from the same hymn book.

On their side, basic uniformity was absent. Some "radical" teachers forthrightly advanced the collegial model in which faculty would determine curriculum, choose appropriate teaching methods and have a formative influence on the fundamental philosophy of education in their institutions. This view was based upon their experience with or exposure to universities in which teachers played (or seemed to play) a far more forceful part in institutional affairs. Others, however, took a more limited view. Unattracted to the burdens of open engagement, uncommitted to public displays of principled dissent and eager to eschew "politics" in any form, they disdained what they thought to be a futile quest for a dubious dream and retreated into what I have elsewhere called "the idiocy of private life."

As long as they were left alone in the classroom to teach a standardized set of courses in a well-regulated way but remained exempt from excessively intrusive micromanagement and the “hassles” that encumbered “trouble makers,” they were relatively content to perform the task of “curriculum delivery” in exchange for a modest wage and decent vacation entitlements.

Likewise, while some believed that academic decisions should rest with the faculty and administration should limit itself to ensuring the bills were paid, the snow was shoveled from the parking lots in winter and there was a sufficient supply of chalk in the classroom, the others were prepared to accept uncritically management’s right to exercise control over the institution, felt their own sense of freedom by being absolved of such responsibilities and sought only protection against the most grievous managerial offences. Thus, lacking a common vision and therefore able to produce no coherent opposition to “exclusive management functions,” any occasional contests over even tentative and amorphous ideas of academic freedom were normally won by the employers, with concessions coming irregularly, infrequently and without results that permanently altered the corporate culture of the colleges.

Free Speech and Dissenting Opinion

Much of the timidity of teachers, of course, came from a failure to appreciate that academic freedom is merely a sub-category of free speech, currently considered a fundamental if not an unfettered human right. Identified in the inventory of universal rights by the United Nations and ensconced in the constitutions of most liberal democracies, free speech surely means no less than that everyone has (or should have) freedom of thought, belief, opinion and expression through personal communications as well as the print and broadcast media.

Academic freedom is the explicit attachment of this right to the academy. In making this connection, educators do not seek additional or special rights beyond those granted to all citizens. No claim is made to exempt teachers from the limitations to free speech (libel, slander, incitement to riot, “hate speech” and, of course, the urge to shout “Fire!” in a crowded theater—unless, of course, smoke and flames are visible). Instead, since their stock-in-trade is the development and communication of ideas, teachers want to ensure that they be free to ply their trade irrespective of the political ideology or religious doctrines that might from time to time dominate the public sphere or infect their own institutions. Since education is especially susceptible to attacks from authorities, external interest groups, resentful students and indignant parents, academic freedom is invoked to protect both teachers and students when their exploration of paths to the truth, leads in directions of which others might not approve for whatever reason of faith or prejudice.

Academic freedom has been easier to claim than to achieve. Early on, university teachers struggled to win protection from authorities. Dissenting scholars with opinions that offended or frightened the authorities regularly faced reprimands and discipline up to and including dismissal. Iconic cases could be cited in which

otherwise benign scholars ran afoul of their organizational superiors for expressing unconventional views about scientific, political and literary matters. Those who were deemed dangerous to public morals and political stability were often publicly excoriated, sometimes ridiculed and not infrequently dismissed. Nonetheless, except in times of perceived peril such as in the somewhat over-publicized McCarthyite outrages of the 1950s, university professors have been able to build organizations for their own defence. Their progress has slowly, incrementally and not without occasional reversals, led them to command respect for their principles on controversial questions from a variety of social leaders outside the academy. As a result, although academic freedom is often challenged and the happy resolution of no dispute can be taken for granted, it remains that in most "senior" institutions, there is at least an opportunity for a "fair fight."

Academic Freedom and Labour Relations

The struggle for academic freedom in the colleges has barely been begun. One of the main stumbling blocks to constructive dialogue in the colleges is the fact that universities and colleges have differed in what many regard as their essential mission. Put simply, universities have always been engaged in teaching (the dissemination of knowledge), but they have also undertaken original research and encouraged writing and public speaking (the creation and expression of knowledge). In fact, one of the main complaints about university teaching in recent decades has been the "publish or perish" syndrome which is said to have hobbled excellent teachers with minimal research achievements, while elevating terrible teachers who have made names for themselves in publicly or privately funded research—now an essential source of income for institutions seeking to maintain or expand their reputations and their roster of first-rate academics—both of which are necessary to entice the enrolment of the very best and brightest among the best and brightest students. In the alternative, colleges are normally declared to be unidimensional. Not quite, but not much more than trade schools, their exclusive purpose has been the diffusion of knowledge, and not independent inquiry or knowledge creation.

So, while academic freedom was accepted as essential to meeting the expressed objectives of the university, it was commonly deemed irrelevant to the business of colleges. Faculty in universities could explore new, innovative and pioneering paths to vital, ground-breaking and even revolutionary discoveries in all fields from anthropology to zoology. Then, the results of their advanced work trickled down to college teachers, normally through filters of government, business and industry, curriculum content was considered settled and no further critical inquiry was necessary. Indeed, even though college teachers were more often drawn from fields of practical employment and were not necessarily, as was too often suggested, merely failed academics, it was assumed that the "theoretical" knowledge emerging out of universities was superior to anything acquired or generated by college teachers. As a consequence, although there are some signs that college teachers may be enlisted to test some practical applications of original research performed elsewhere, this is very much a secondary priority for most

college administrations, and questions of academic freedom are rarely asked since such work is commonly performed on a restrictive contracting basis from specific private sector companies with limited expectations and little interest in exploring new domains.

True, some colleges and their more avant-garde teachers now and then break the mold. Here and there, exciting and inherently valuable teaching programs dedicated to non-vocational goals such as aesthetic appreciation, civic responsibility, social and cultural awareness, personal growth and development and even the critical explorations and interrogation of science and technology are thoughtfully constructed and tentatively implemented in college curricula. As well, some college teachers, most often on their own time and at their own expense, engage in "intellectual" as well as classroom careers. A number have even made prolific contributions to the academic literature in various disciplines. A few have become nationally and internationally known in their particular areas of scholarship and research. These individuals, however, are seldom been rewarded and are occasionally denigrated and disparaged for what are seen to be their unseemly intellectual pretensions, for being "uppity" and for not knowing their place.

In the final analysis, whether members of trade unions or not and whether governed by collective agreements or not, the determining attitudes, processes and procedures for college teachers follow an industrial model. Enthusiasm is prized, but mainly within the confines of expressed college mission statements. Successful teaching is acclaimed, but mostly if it involves some novel application of educational software or innovative information technology. For the rest, college managers determine policy. College teachers conform to policy. Differences of opinion, where they are not resolved through some sort of arbitration process, almost uniformly reflect the managerial prerogative.

Danger and Opportunity

Now, however, the times may be changing, as they have a habit of doing. The entire apparatus of higher education appears to be undergoing profound shifts, and not always in the same direction. Four of them will be mentioned here. Each one might soon produce a "crisis," which has sometimes been explained as a special conjoining of danger and opportunity.

The first of these potentially transformative alterations involves the fiscal predicament in which education is now found, and the degree and pace at which the private sector is growing as a primary funding source for postsecondary education, while government, does its best to divest itself of its obligations to all levels of education.

As with all pipers, the paymaster calls the tunes, and the result is a growing trend toward the corporatization of higher education. This trend, of course, is applauded by both legislators and senior bureaucrats who seek to reduce social spending, forge private-public "partnerships," sell corporate logo space, and adorn programs and school buildings with private sector brands. While government cannot entirely escape its responsibility for education, it can permit tuition

fees to float and give incentives to private business to underwrite some expenses. The price paid for corporate largesse, of course, is influence in the determination of educational policies and practices. This process affects colleges and universities somewhat differently, and has slightly different consequences for each.

In the universities, the research agenda is coming more and more to reflect the demands of business and industry. In the colleges, the teaching and learning process is increasingly being driven by immense, multinational textbook manufacturers. These conglomerates try not only to corner the lucrative book market, but also to expand their related electronic information technology businesses. As much as the insinuation of corporate-friendly curriculum, an enormous pedagogical problem is posed by the conversion of the "bookworm" into a "net surfer." The eventual social implications are (or should be) obvious.

The Ideology of Vocationalism

The second agent of change is the intensification of the ideology of vocationalism itself. Increasingly, college education is marketed as a step toward employability. While this is an admirable goal, it narrows a student's focus. Learning becomes wholly instrumental. Attention is paid only to items likely to be on a test, and test items are judged according to their relevance to the job market. An enormous literature has grown around the controversial concept of high-tech vocational training, which was an important element in the initiation of many college programs especially in the decade or so following the launch of Sputnik and the orchestrating of the "space race," which combined (not coincidentally) with the emergence of wide-spread computer usage and the first hints of the electronic information technology revolution to create the buzz about what Alvin Toffler called the "third wave," a supposed transformation of the dominant mode of production on a scale equivalent to the agricultural or the industrial revolutions.

Courses in "data processing" were all the rage at my college in 1969, when educational gurus twigged to the notion that, in a few decades, "computer literacy" would become a necessary requirement of employment in the upper reaches of the service economy. Who knew that these skills would not be advanced, specialized proficiencies mastered only by near-geniuses, but barely a step above tying shoe laces for most competent ten-year-olds with access to a machine? And who knew that such machines would be downsized, price-reduced and available to pop up in any suburban home, almost all schools and virtually every public library in the land?

Today, therefore, some argue that our chief problem is not supplying elevated skills to the technological elites, but over-qualifying and over-accrediting people for "white-collar" employment while the skilled trades go lacking. Added to this is the ubiquitous problem of under-preparedness, meaning that a great proportion of people are entering college with total control over the keyboard and the Internet, but little capacity to write a grammatically correct sentence, much less a complete paragraph. Finally, there is also the little matter of "common knowledge" as students enroll (and possibly graduate) from colleges without an elementary understanding of geography, history,

literature, science and even the deeper issues concerning the technology at which they seem so adept.

Yet, to speak of the folly of government and college planners and promoters in offering popular but pointless college training programs is to raise another aspect of academic freedom. To be critical of the authorities is still to risk discipline and dismissal. In many institutions, what is called the “produce-clerk theory of academic employment” holds sway. Just as a grocery store owner is thought justified in firing a produce clerk who informs customers that the fruits and vegetables are of poor quality, are overpriced and that better can be had at the store down the street, so teachers have been dismissed for criticizing the colleges, the bureaucracies and the government policies that are ultimately responsible for inferior educational programs. Critics may not be encouraged but academic entrepreneurs certainly are. It is not unusual, for instance, to hear the phrase “academic capitalism” applied to educators who are urged to “take ownership” of their faculty jobs, dream up clever courses, market them imaginatively and bring in more customers. This, too, undermines academic freedom. As Canada’s beloved conservative philosopher George Grant once put it: the curriculum as the “soul” of the college, but our collective soul is currently being commodified and sold in one of the more sordid Faustian exchanges in memory. Academic freedom is reduced to “free enterprise,” with the pursuit of truth running a distant second to what Karl Marx memorably called the “callous cash nexus.”

In the universities, meantime, there is an equally distressing and ongoing process of conversion from the ivory tower to the service station. Constant demands to reorient the curriculum toward more and more practical and technical skills, and to have less and less to do with the liberal arts are in evidence. It is, of course, faculty in the liberal arts who are typically the strongest advocates of academic freedom and the most reliant upon its robust defence. In college, the liberal arts (usually including the social sciences and humanities, but sometimes the theoretical sciences as well) have mainly been merely tolerated rather than allowed a core place in the curriculum; moreover, where they maintain a meaningful place in the colleges at all, they have relentlessly been required to justify their own existence and, in the current climate of education for work, their always precarious position has been reduced and altered so that courses in literature become corporate communications or technical report writing, and courses in the social sciences are made over into contributions to marketing or human resource management. The pertinence of this process for academic freedom should be plain. When education withdraws from the disinterested pursuit of knowledge and becomes the commercial drive for marketable skills or, worse, ideological supports for a particular approach to political economy, a primary reason for academic freedom—namely, the existence of the academy as a place of free inquiry and not merely a corporate-controlled job training and propaganda facility—quickly evaporates. The argument here is not that the liberal arts should oust career training, but that both are required if anything that can properly be called college education is to flourish.

The Part-Time Problem

A third major change involves the social relations of production in the teaching factories. This is most obvious when we examine the decline in permanent faculty positions. At one time, it was expected of a university that it would have a core group of tenured faculty, a number of junior faculty members seeking to win tenure and, for universities with graduate schools, a complement of cheap labour in the form of graduate students who worked for significantly sub-optimal wages as teaching assistants, but who did not object strongly to their penury because this was seen as part of an apprenticeship which would be rewarded in due course when, freshly armed with their graduate degrees, they would take the next step up the ladder as Instructors, Lecturers or Assistant Professors and enter the academic race for the top.

Now, that core has been reduced and, in some cases, eliminated as "part-time," "sessional," or "adjunct" faculty now take up the majority of teaching positions—going from contract to contract and never becoming an authentic part of the academic community. Though academic freedom ought to carry the same weight for genuine teachers regardless of the conditions of their contractual relationship with their employers, this is emphatically not the case for people who have not yet won full-time status.

In this case, what applies to the universities applies at least equally to the colleges. University positions are normally available only to people who have met some minimal criteria of employability. In colleges, the requirements are apt to be less formal and less rigid. In one sense, this may be a boon to people who lack the certification demanded by the universities, but who may have any number of redeeming qualities as educators. In another sense, however, this flexibility also ensures that even part-time job security, to say nothing of the possibility of landing a full-time job, is remote.

The most basic fact about part-time faculty is that they are cheap. Paid on a per diem rate, they command a far lower wage than their full-time colleagues. Though conditions vary from jurisdiction to jurisdiction, part-timers are not generally covered by institutional health care plans, do not accumulate seniority-based job security and pay raises, earn no paid vacations and may be terminated at any time without cause. They inhabit the "third world" of higher education. Union shops may modify these conditions, of course, but the fact remains that part-timers are second-class employees. It is therefore in the interest of any educational institution which, by choice or necessity, treasures cost savings over quality to hire as many contract employees as possible, and to reduce or abandon their commitment to full-time faculty.

The "quality of education," incidentally, has nothing to do with the disciplinary expertise or pedagogical prowess of part-time versus full-time teachers. Each group is sure to have its share of Mr. Chips and its ration of Mr. Grandgrinds.

What primarily differentiates these employment categories is the fact that part-time people are vulnerable not only to economic abuse (which goes without saying), but to organizational abuse as well. Unprotected by a union, denied representation by a faculty

association and part of what Marx would have delighted in calling the reserve army of the underemployed “professoriat,” they will do or say anything it takes to complete a contractual assignment successfully and somehow ingratiate themselves to management in any way necessary to win a new contract for the next semester. The brutal politics of the waterfront hiring hall may be disguised by the tasteful décor in the administration offices, but the brutality is just as real. Not only do they enjoy no academic freedom, but their vulnerability leads to acquiescence in their own exploitation, which has immediate “fall-out” effects on permanent staff whose dedication to academic freedom can be undermined by the college’s ability to manipulate part-time teaching staff.

The Introduction of College Degrees

For the purposes of this article, the most important change may be the fourth, a modification in the postsecondary arena that has arisen with increasing strength and visibility in recent years. The “challenges” posed by the constant state of institutional “re-branding” and the consequent confusion about the college’s place in society’s educational hierarchy are obvious. The upheavals in college financing, the turn toward the market model, the sorry state of the labour process which has led to the redefinition of teachers as human capital are playing out in an indecorous scramble for market share.

No longer seen (if they ever were) as bastions of learning in a philistine world, colleges are ever more being organized and regulated with the same market mentality that is evident in electronics firms, “big box” distributors, pharmaceutical enterprises and Wal-Mart department stores. Academic capitalism is all about seducing the customer with attractive packaging and promises of top quality merchandize. Universities and colleges now compete for enrollment by using every device known to the hucksters of ancient snake-oil remedies, “new and improved” laundry detergents and A-list entertainment celebrities. In the process, even the once clear distinction between colleges and universities based on the latter’s exclusive authority to grant degrees, is beginning to dissolve. Colleges have traditionally been restricted to offering diplomas, certificates or other lesser pieces of paper, whereas only universities have been sanctioned to award bachelors’ degrees, much less master’s degrees and doctorates. No more.

In some cases, colleges and universities enter into partnerships (sometimes called “articulation agreements”) whereby a student’s time is split between the two, and sometimes the reward is both a college diploma (certifying “practical” training) and a university degree (verifying “theoretical” knowledge). The problem for both students and employers is that the field is becoming so opaque that external observers can be forgiven for no longer knowing what’s what, and increasingly not to care.

As higher education takes on the form of a Hobbesian “war of all against all” with desperate alliances of convenience replacing venerable traditions and honourable reputations, the matter of academic freedom takes a novel twist.

In non-degree-granting colleges, or in colleges that award some form of “applied” degree (commonly called a Bachelor of Applied Arts, a Bachelor of Technology or the aforementioned “Associate” degree), anxiety about academic freedom rarely came to the attention of university professors and certainly did not gain their interest. The institutions seemed a world apart. University professors would likely be appalled, for example, with the typical collective agreement governing employer-employee relations in a college. One example describes “exclusive management functions” as the right to “maintain order, discipline and efficiency.” Specifically, this involves the right to “hire, discharge, transfer, classify, assign, appoint, promote, demote, lay off, recall, suspend or otherwise discipline employees.” Further, the employer has the sole authority to “plan, direct and control operations, facilities, programs, courses, systems and procedures, direct its personnel, determine complement, organization, methods, and ...” much, much more. Moreover, management has not been shy in exercising its almost unrestricted power. Not much room for academic freedom here. Not much room for anything. Such indifference is no longer sustainable.

The College-University Nexus

Now that the shake-up in higher education has brought colleges and universities into opportunistic arrangements of mutually suspicious cooperation, a modest spanner has been chucked into the works of the college corporate culture. The Earth might not yet have moved beneath our feet, but a little trembling can be felt. If universities are to enter into common programs and risk their reputations in exchange for a larger share of the youth market, they will want to impose some protective conditions before completing the deals. One is that, if colleges are to be awarded the right to grant degrees, or if they are to participate in shared arrangements that could culminate in the granting of a university degree, colleges will have to rise to at least the appearance of a higher standard, rather than compel the universities to lower their traditional policies and practices in order to achieve a common level.

One component of this reconfiguration involves academic freedom. Insofar as they have any say in negotiations, university professors and a sizable number of university administrators want to bring colleges into line with their own corporate culture. Academic freedom is one issue about which many university personnel feel deeply. At the very least, colleges need to be taught to mimic if not to wholly embrace the concept. Here, a serious question is bound to arise: What will be the measure of academic freedom to be permitted in the college setting that would ensure the maintenance of hierarchical managerial practices and extensive management rights, yet satisfy the university community that some defensible protection of the unsullied pursuit of truth was in play?

There are as many answers as there are varied institutions and jurisdictions. Minimal standards are only now emerging. In the Province of Ontario, for example, colleges with a yen to offer official baccalaureate programs are being forced to insert the phrase “academic freedom” into their policy guidebooks, but it is not an easy inclusion. Faculty critics complain that the process has so

compromised the phrase that college educators would be better off without it. In the alternative, governing authorities steadfastly refuse to honour the concept in the collective bargaining agreement with faculty, thus rendering moot any serious attempt to implement it.

In one instance, the management office charged with the liberal-sounding task of guaranteeing human rights in the workplace has successfully managed to craft an academic freedom policy that gives equal weight to the right to teach and learn in accordance with the quest for truth and to the right to have students' religious sentiments protected against the results of that search. Freedom and tolerance seem appropriate goals, and no contradiction might immediately raise concerns. In practice, however, the results are not pretty. For example, a professor in a "women's studies" class who criticized the practice of female genital mutilation has been subjected to accusations of religious discrimination by certain members of the Islamic faith who claimed to have taken offence at her remarks. As a result, she was disciplined and compelled to undergo "sensitivity training," while being denied the right to confront her accusers and to make the story known in its entirety. Likewise, a professor in a science class who insisted on the acceptance of the theory biological evolution was threatened with a similar charge of discrimination against fundamentalist Christians, who stated that they did not "believe in evolution," and the professor had no right to discredit their beliefs. In such cases, the "feelings" of the insulted religionists must be balanced against the professor's interest in seeking and speaking the truth. The prospects for a contest between astronomy and astrology on a "level playing field" loom large.

In addition, even when academic freedom is offered as a token lexicological soporific, it may be applied inconsistently in a "two-tier" fashion. So, those teachers who work in applied degree programs or in articulated agreements with full-fledged universities may share at least the minimum measure of scholarly liberty that is enjoyed by the teachers in universities, but that same freedom may be implicitly or explicitly denied to those who work in ordinary diploma or certificate programs. Academic freedom for some but not for all will be a difficult proposition to defend logically, but perhaps an easier one to impose politically.

Now, lest anyone worry that I am presenting a jaundiced view, I want firmly to acknowledge that, in most cases, college faculty already enjoy a modest amount of autonomy and exercise some provisionally delegated powers in their workaday lives. In most cases, there is not a rigid and belligerent "us versus them" mentality separating teachers from their supervisors. Peaceful coexistence is maintained as a result of cordial personal relations among reasonable and gentle people. And, in cases where people are a little less than reasonable in their desire to exert their authority, the fact is that intense micromanagement is burdensome and understood to be beyond the capacities of most Deans and Chairs to perform with any consistency. Any elasticity in the colleges, however, is the result of the *de facto* delegation of authority that comes from civil relationships of mutual trust and respect between individual teachers and their supervisors. At base, however, is the legal authority of the supervisor to impose work discipline, and to dictate curriculum and control how teachers

perform their duties to teach it. That legal authority is the “bottom line.”

Collective Bargaining

Lacking a history of collegiality, colleges have forced academic freedom to become the subject of collective bargaining in a sometimes toxic and inherently adversarial labour relations environment. To date, the success with which university faculty associations have secured contractual language respecting academic freedom has not been matched in most colleges. Although academic freedom has been a collective bargaining demand which has risen in importance for college faculty, college authorities have been extremely reluctant to accept it as a point of negotiation.

The reason for the college’s refusal to talk to faculty about academic freedom is not ideological. No great fear of communist subversives poisons the academic atmosphere and only in the most antediluvian environments are jingoism, xenophobia and tin-pot patriotism apt to motivate actions against teachers with broadminded views on current political and religious topics. At the same time, more subtly censorious processes may be observed.

The corporatization of the colleges may involve the promotion of “team players,” of “positive attitudes” and a kind of twenty-first century school spirit rallies substituting for faculty deliberations. It may steer clear of discussions what we should teach and why we should teach it. Instead, in words used a half century ago by Andrew F. Skinner to describe the training or education of teachers in the 1950s, “greater stress was placed upon methods and techniques … and very much less upon … the history and philosophy of education.” In the intervening fifty years, nothing much has changed.

The prospects for the reconciliation of educational philosophies, ideal methods of building colleges and the proper relationships among government, business, education and the public are limited. Teachers are starting to make coherent demands through their collective bargaining agents (where available), and pressures are being brought to bear upon college authorities from other institutions. The struggle to divest Boards and administrators of their vast powers will be difficult, for examples of people willingly surrendering power in the interest of the common good are rare throughout the history of education (and almost everything else). To glimpse how tentative the demands of teachers for even a nominal introduction of collegiality, to say nothing of participatory democracy in the workplace, we need only examine the negotiation demands of one set of college teachers.

Defining academic freedom as right to speak freely without fear of reprisal, the right to determine specific teaching methodologies, the right to transmit knowledge openly, and the right to research in one’s field, efforts have been made to open up the topic in contract negotiations. Nevertheless, despite a chorus of external and independent bodies weighing in on the issue and urging that academic freedom be written into college contracts, college leaders remain adamant in their rejection of such proposals. Adding some symbolic support are groups such as the United Nations Educational,

Scientific and Cultural Organization and the International Labour Organization. In its statement on the issue, the ILO put the case clearly and comprehensively. "The principle of academic freedom should be scrupulously observed," it said. "Higher education teaching personnel are entitled to the maintaining of academic freedom, that is to say, the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely their opinion about the institution or system in which they work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies. All higher-education teaching personnel should have the right to fulfill their functions without discrimination of any kind and without fear of repression by the state or any other source. Higher-education teaching personnel can effectively do justice to this principle if the environment in which they operate is conducive, which requires a democratic atmosphere; hence the challenge for all of developing a democratic society."

Winning the colleges over to the position that academic freedom is meaningless if it is offered as a slogan without specific content. Moreover, no content can be relied upon in the absence of a legally binding commitment. Academic freedom remains a concept that is alien to the mindset of many college managers and to the corporate culture of many colleges. Yet, if the four factors identified here as highlighting the importance of institutionalized guarantees of academic freedom continue to influence events as they seem so far to have done, then academic freedom will have to be revisited. The only question will be whether the colleges are prepared to move forward or insist on being mired in an obsolete mentality and stuck with draconian policies. In light of a lifetime in the classroom, I do not assume progressive alternatives will automatically be pursued. Ideological obsolescence and draconian policies are not unprecedented or even exceptional. They are, however, noxious and potentially lethal where critical education is a prerequisite for a free citizenry aware and able to make wise choices for the future protection of people and the planet. Change is therefore not a desired outcome but an existential necessity. All but the least comprehending must be made to accept it.

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